



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/541,162    03/31/00    LOFTUS

T    P13

PM82/0216

EXAMINER

Brian C Rupp  
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321 N Clark Street Suite 3300  
Chicago IL 60610

PEZZUTO, R

ART UNIT

PAPER NUMBER

3671  
DATE MAILED:

02/16/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/541,162

Applicant(s)  
Loftus

Examiner  
Robert Pezzuto

Group Art Unit  
3671



☒ Responsive to communication(s) filed on Dec 21, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-23 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 1-23 is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3671

## **DETAILED ACTION**

### ***Response to Amendment***

1. The response dated December 18, 2000 to the Office Action of August 21, 2000 has been received and reviewed. In the response, the applicant addresses an additional "Offer to Surrender Patent" and has sent in a duplicate copy of such offer. ***However, before the application can be allowed the original patent or an affidavit/declaration averring that the original patent is lost or misplaced must be received by the Office.*** This appears to be the only outstanding issue in the application.

### ***Conclusion***

2. Any inquiry concerning this communication should be directed to Robert Pezzuto at telephone number (703) 308-1012. The examiner can normally be reached Monday through Thursday from 7:00 am to 5:00 pm, Eastern Standard Time.

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3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr Thomas B Will, can be reached on (703) 308-3870. The fax phone number for this Group is (703) 305-7687



Robert Pezzuto  
Art Unit 3671  
February 15, 2001